

U.S. Department of Justice

Eastern District of California

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December 7, 2005

Honorable Peter A. Nowinski
U. S. Magistrate Judge
501 I Street
Sacramento, California 95814

Re: United States v. Josue Galvan Gonzalez
Magistrate # 03-026-PAN
Unlawful Flight to Avoid Prosecution

Dear Magistrate Nowinski:

There was filed before you, on February 1, 2003, a complaint for unlawful flight to avoid prosecution.

We have been notified by the Federal Bureau of Investigation that the subject was located in Mexico. The District Attorney's office for the County of San Joaquin has requested that the above-referenced complaint be dismissed.

Therefore, we respectfully request that the complaint be dismissed and the warrant recalled.

Very truly yours,

McGREGOR W. SCOTT
United States Attorney

By /s/ THOMAS E. FLYNN
THOMAS E. FLYNN
Assistant U.S. Attorney

IT IS SO ORDERED:

Dated: December 8, 2005.

/s/ Peter A. Nowinski
PETER A. NOWINSKI
Magistrate Judge

CERTIFICATE OF SERVICE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	MAGISTRATE NO. 03-026-PAN
)	
v.)	
)	
Josue Galvan Gonzalez)	
)	
Defendant(s).)	
_____)	

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Eastern District of California and is a person of such age and discretion as to be competent to serve papers.

That on December 7, 2005, she served a copy of the attached: Motion to Dismiss; Proposed Order by placing said copy into the interoffice mail.

Federal Defender's Office

United States Marshal's Office

_____/S/ Patsy Silva_____
Patsy Silva